

REMARKS

Applicants reply to the Office Action mailed on November 28, 2008 within three months. Claims 24-33 and 39-50 are pending in the application and the Examiner rejects claims 24-33 and 39-50. Applicants' minor amendment to independent claim 24 is only to address an antecedent basis issue. Support for the amendments presented with this Reply may be found in the originally-filed specification, claims, and figures. Applicants submit that no new matter has been introduced with these amendments. Applicants respectfully request reconsideration of this application.

The Examiner rejects claims 24-27, 31-33, and 40-50 under 35 U.S.C. § 103(a) as being unpatentable over Hyuga, U.S. Patent No. 5,818,733 ("Hyuga") in view of Lachinski, U.S. Patent No. 5,633,946 ("Lachinsky"). The Examiner rejects claims 28-29 under 35 U.S.C. § 103(a) as being unpatentable over Hyuga in view of Lachinski and further in view of Anderson, U.S. Patent No. 5,684,476 ("Anderson"). The Examiner rejects claim 30 under 35 U.S.C. § 103(a) as being unpatentable over Hyuga in view of Lachinski and further in view of Woolston, U.S. Patent No. 5,845,265 ("Woolston"). Applicants do not concede that Hyuga, Lachinsky, Anderson, and/or Woolston are prior art with respect to this application, and Applicants reserve the right to antedate Hyuga, Lachinsky, Anderson, and/or Woolston. Applicants respectfully traverse these rejections (Applicants' minor amendment to independent claim 24 is only to address an antecedent basis issue).

Hyuga discloses a group of cameras at a location (e.g., a golf course) where each of the cameras are capable of recording an image of an object (e.g., golfer) located in a particular section of the location (e.g., at the ninth hole green). One of the cameras is selected from a known, current location of the object being observed: "Based on the locational signals from receiver (21), camera controller component (26) selects camera (27i) ~ (27n), (27c) and controls panning and tilting of the selected camera" (Abstract). The location of the object is known, for example, by a signal from a "mobile unit which is in the possession of each [golf] player or caddie . . . [which] transmits signals revealing its location" (4: 14-36). "Therefore, according to the invention, it is easy to know the location *of the sender* of the signals and take *his* picture with an imaging device" (2: 7-9) (emphasis added). Once the system in Hyuga determines an actual location of the object to be monitored, a camera in the actual location is selected to record an image of the object—i.e., the golfer.

Lachinski discloses a system that allows for the creation of maps: “[v]isual and spatial position information is collected and processed for the formation of a *geographic information* database . . . Information collected and processed can also be used to accurately determine the *spatial position* of an object seen in the collected visual information” (Abstract) (emphasis added). Lachinski is concerned with determining location of *fixed geographic locations* and makes these determinations using a *moving vehicle* that contains cameras and GPS equipment. The cameras record images of the geographic areas through which the moving vehicle travels (see 2: 10-45). The moving vehicle also contains processing equipment that correlates each recorded video image “with the spatial position *of the camera* [in the moving vehicle] at the time the image was recorded” (2: 36-38) in order to create and/or verify maps.

Applicants respectfully traverse the Examiner’s § 103(a) rejections because the Examiner has not established a *prima facie* case of obviousness in the combination of Hyuga with Lachinski. The Examiner has not established a *prima facie* case of obviousness at least because (1) there is no motivation to combine Hyuga and Lachinski, (2) there is not a reasonable expectation of success in combining Hyuga with Lachinski, and (3) Hyuga and Lachinski do not teach, suggest, or otherwise contemplate *all the claim elements* in the pending claims (see MPEP § 2143). Because the Examiner has not established a *prima facie* case of obviousness, Applicants respectfully request withdrawal of the rejection of all pending claims because all of the Examiner’s rejections rely on the combination of Hyuga with Lachinski.

The Examiner has not shown a *prima facie* case of obviousness because there is no motivation to combine Hyuga with Lachinski—adding Lachinski’s geographic position determination of a fixed geographic object would be superfluous in light of Hyuga. In Hyuga, the location of any geographic position that Hyuga’s cameras monitor is already known (see, e.g., 5: 5-21). Lachinski’s system is used for “collecting and processing video and spatial position information for the formation of a geographic information database” (2: 10-12). Because the results Lachinski’s system provides have already been achieved in Hyuga, it would not make sense to incorporate Lachinski’s functionality into Hyuga’s system.

Additionally, the Examiner has not shown a *prima facie* case of obviousness because there is not a reasonable expectation of success in combining Hyuga with Lachinski—Hyuga is concerned with determining a current position of an object that may be capable of *moving*, whereas Lachinski is concerned with recording positional information associated with *fixed*

geographical locations. Lachinski's system relies on the presumption that the objects being monitored are **fixed** geographical locations: "[b]ecause the method of the present invention records the spatial position at the time each video image is recorded, the video images can be **later reviewed** as many times as is necessary to validate the accuracy and completeness of the attributes shown therein" (2: 55-59) (emphasis added). If Lachinsky's determination of a **fixed** geographical location object were applied to Hyuga's determining a current position of a potentially **mobile** object, Lachinsky's system would render Hyuga inoperative. By the time Lachinsky's data is "later reviewed," the potentially mobile object may have already moved, and Lachinsky's observations and data would be irrelevant. For at least that reason, there is no reasonable expectation of success in combining Lachinsky with Hyuga, and Lachinsky, in fact, **renders Hyuga inoperable** for Hyuga's stated purpose.

Furthermore, the Examiner has not shown a *prima facie* case of obviousness because, despite the Examiner's assertion, Hyuga and Lachinsky do not disclose all the elements of the pending claims. Lachinsky's cameras and other detection equipment are "mounted in a **moving** vehicle such as a van" (2: 24) (emphasis added). Nowhere does Lachinsky disclose or contemplate, "a communicator configured to receive first data **associated with an object** . . . wherein the first data is received from a **fixed** detector configured to detect the **first data**" as recited in Applicants' independent claim 24 (emphasis added), and as similarly recited in independent claim 31. Therefore, Lachinsky cannot disclose or contemplate "a processor configured to correlate the **first data** and the second data to generate object location information" as recited in independent claim 24, and as similarly recited in independent claim 31, because Lachinsky does not have any "first data" to correlate with anything else.

For at least the three reasons discussed above, each of which is sufficient alone to show that a *prima facie* case of obviousness has not been demonstrated, Applicants respectfully request withdrawal of the Examiner's § 103(a) rejections based on Hyuga and Lachinsky, and respectfully request allowance of independent claims 24 and 31.

Dependent claims 25-30, 32-33, and 39-50 variously depend from independent claims 24 and 31. Applicants assert that dependent claims 25-30, 32-33, and 39-50 are thus allowable at least for the same reasons as set forth above, in addition to their own unique features, some of which are discussed below.

The Examiner acknowledges that “Hyuga does not particularly teach correlation [of] the first data . . . and second data . . . *to determine* object location information” (Office Action, page 3) (emphasis added). For at least that reason, Hyuga cannot disclose or contemplate “activating a second fixed detector *in response to* the object location information” as recited in dependent claim 32 (emphasis added), “wherein the *correlating* the first data and the second data *comprises* determining compliance with a scheduled object activity” as recited in dependent claim 40 (emphasis added), or “wherein the *correlating* the first data and the second data *comprises* determining a movement vector to predict a future location of the object” (emphasis added) as recited in dependent claim 41. Applicants therefore respectfully request allowance of claims 32, 40, and 41.

Furthermore, with respect to claim 41, the Examiner asserts, “Hyuga further teaches wherein correlating . . . the first data and the . . . second data comprises determining a movement vector to predict a future location of the object (fig. 10)” (Office Action, page 5). Applicants respectfully cannot comprehend how FIG. 10 in Hyuga discloses “a movement vector to predict a future location of the object.” FIG. 10 contains no explanation of “a movement vector to predict a future location of the object.” The discussion in Hyuga surrounding FIG. 10 is similarly silent with respect to “a movement vector to predict a future location of the object.” In fact, “predict” and “future” appear nowhere in Hyuga. The Examiner provides no support for this rejection of claim 41, and for this additional reason, Applicants respectfully request allowance of claim 41.

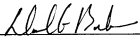
With respect to claim 50, the Examiner asserts that Lachinsky at “228 of fig. 12” (Office Action, page 4) discloses “determining at least one of a trajectory or a speed of the object” as recited in Applicants’ claim 50. Applicants believe the Examiner is referring to “288” in FIG. 12 of Lachinsky, because “228” is not present in FIG. 12. Reference number 288 says, “VEHICLE ROUTING ATTRIBUTE COLLECTION,” but this “attribute collection” is only an application “in which the updated street segment and video-segment relationship data 146 *can be used*” (14: 59-61) (emphasis added)—i.e., once the map is created, it’s possible to determine “vehicle routing information 288” (14: 65) for vehicles that *may travel* down a particular roadway. These vehicles, however, are not “the object” about which “a processor is configured to correlate the first data and the second data to generate object location information” (as recited in Applicants’ claim 24) because neither “a fixed detector” nor a “mobile target unit” ever detects “first data” or

"second data" associated with these vehicles. For at least this reason, Applicants respectfully request allowance of claim 50.

In view of the above remarks, Applicants respectfully submit that all pending claims properly set forth that which Applicants regard as their invention and are allowable over the cited references. Accordingly, Applicants respectfully request allowance of the pending claims. The Examiner is invited to telephone the undersigned at the Examiner's convenience, if that would help further prosecution of the subject application. The Commissioner is authorized to charge any fees due to Deposit Account No. 19-2814.

Respectfully submitted,

Dated: 2/25/09



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